

AGENDA

COMMITTEE ON LANDS AND BUILDINGS

December 6, 2005

Aldermen Thibault, Roy,
Gatsas, Osborne, Porter

4:30 PM

Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Thibault calls the meeting to order.
2. The Clerk calls the roll.
3. Communication from Richard Exline requesting the conveyance of Parcel "A" and termination of an access easement at 1832 Candia Road.
Board of Assessors: range of value - \$7,500.00;
Tax Collector: not tax-deeded parcel (no interest); and
Planning: recommend it be declared surplus subject to conditions.
Gentlemen, what is your pleasure?
4. Discussion of the disposition of the Center of NH Parking Garage pending availability of reports.
5. If there is no further business, a motion is in order to adjourn.

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Richard E. Exline
1832 Candia Road
Manchester, NH 03109

05 NOV 15 19:20

Committee on Lands and Buildings
Board of Mayor and Aldermen
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, NH 03101

November 14, 2005

RE: Property at 1832 Candia Road, Purchased April 2000.

Dear Committee Members:

I was advised by Alderman Porter to write this letter in an attempt to explain the circumstances that have caused me a great deal of money and effort to try to cure the problem as it presently exists, and was brought to my attention in July 2004.

I was represented badly at the closing by my attorney, and again by a faulty plan produced by a local land surveyor.

Problem number 1: There is a Right-of-Way passing through my land from the north to Candia Road. Before I discovered this I retained an architect to prepare a plan to add a two-car garage with a room above to the existing structure. This would allow me to convert my present two-car garage into a family room.

Problem number 2: I have requested, through my attorney, to submit plans to the City to allow me to purchase the 3,735 Square feet of land abutting my northern boundary so that my storage building (12' x 20') will be totally on my land. As it is now, it is partially on City land. All this came about when my first survey was faulty. I then retained another surveyor to correct the first survey. The second engineer produced a plan that was recorded, and then he informed me that it may not be accurate. So I hired a third surveyor, Joseph Wichert, L.L.S. Inc. to survey my land again. At this time I was represented by counsel, and I was asked to survey the abutting City land, which is about 10 acres in size, so the City could determine my plight.

Finally, after more than a year of effort, I have a house that I cannot improve or sell the property as it is considered unbankable by all of the attorneys involved in this matter for me. Please note the to date I have spent in excess of \$80,000 on

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attorney fees and engineers and surveyors fees in an attempt to accomplish what seemed to be a simple request of the City and to rectify the mistakes of my former attorney.

The following history and details of this situation reflect the events over the past year as I attempted to correct the situation as it exists to what I thought was what I had purchased.

As you had previously requested, I made inquiry to the City of Manchester Department of Highways, who I was informed was acting as an agent for the City of Manchester. I have documentation from the Manchester Highway Department outlining the necessary requirements as well as a letter stating that these requirements have since been met. To further aid in clarification, I have enclosed a drawing that addresses all of the City of Manchester Department of Highways concerns and shows the overall scope of the properties in question.

I have been given the verbal endorsement of Alderman Paul Porter. I have also received a verbal endorsement from Alderman at Large, Mike Lopez. I have been reassured by Steven Johnson, Chairman of Parks and Recreation Commission for the City of Manchester, that this piece of land has been designated as surplus. I have retained the services of Joseph M. Wichert, a licensed land surveyor to assemble a lot line adjustment plan.

Please note that Mr. Wichert completed a preliminary survey of the entire 10 acres of City owned property (lot 522-5). The lot line adjustment plan as submitted would meet the requirements for submission to the Manchester Planning board for this type of minor lot line adjustment. The submitted lot line adjustment plan shows the 4 parcels that were excepted from the subject tract (Lots 522-1, 2, 3 & 493-23). The plan also shows the 2 right of ways, one being the 20' wide ROW across the Exline property and the other being the 20' wide access point from Groveland Avenue.

The plan shows the access points that currently exist. In addition to these areas, the City also owns 4 other properties that abut the 10 acres of City owned property (lot 522-5). It is clear that 2 of the properties (lots 492-16 & 20) are viable points of access to the rear lot. Also keep in mind that lot (522-5) abuts another City owned property to the east (lot 522-4) which has about 300 feet of frontage on Candia Road. The 20' wide access across my property and thru and out building which is over 20 years old and which was built with the proper building permits from the Manchester Building Department.

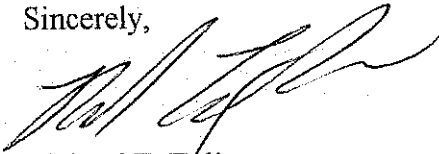
I have completed all that has been required by me of the by each of the various City leaders as well as the City itself. This is a problem that will continue until we can work together and resolve it. I have enclosed a copy of the plan and

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would request that I be heard at the next meeting. I have also enclosed a copy of Mr. Wichert's Lot Line adjustment plan.

I would appreciate it very much if you would approve of the conveyance of parcel "A" depicted on the attached to me and extinguish the right of way referenced above. If you need additional information, please do not hesitate to call. If you require a hearing on this matter kindly place me on your agenda as soon as possible and let me know the date.

Thank you for your consideration.

Sincerely,



Richard E. Exline

cc: Daniel C. Proctor, Esq.
Steven M. Latici, Esq.
Thomas Arnold, Esq.
Peter N. Tamposi, Esq.
Daniel Muller, Esq.
Joseph M. Wichert L.L.S.
Henry R. Thibault, Alderman and Chairman Lands & Buildings Committee
Theodore L. Gatsas, Alderman
Frank Thomas, P.E. City of Manchester Public Works Director
James L. Dehart, General Counsel Attorney Discipline Office
Russell F. Hilliard, Defense attorney for Richard Thorner.
Richard Thorner, Esq. Wadleigh, Star and Peters Law Firm.
Paul Porter, Alderman
Mark E. Roy, Alderman
Ed Osborne, Alderman
Mike Lopez, Alderman at Large
Steve Johnson, Chairman City of Manchester Parks and Recreation Dept.
Ronald Ludwig Director, City of Manchester Parks and Recreation Dept.



CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

Stephen Johnson, Chairman
Sandra Lambert, Clerk
George "Butch" Joseph
Michael Worsley
Dennis Smith
Ronald Ludwig, Director

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IN BOARD OF MAYOR & ALDERMEN

DATE: November 15, 2005

ON MOTION OF ALD. Porter

SECONDED BY ALD. O'Neil

VOTED TO refer to the Committee on
Lands and Buildings.

Debra L. King
CITY CLERK
Repa

November 15, 2005

Committee on Lands and Buildings
Board of Mayor and Alderman
C/O Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, NH 03101

Re: Property at 1832 Candia RD

Dear Alderman Thibault,

This is to inform you that the department supports the recommendation of the Parks, Recreation and Cemetery Commission to declare the property at the above address as surplus to our needs, which is currently part of Tax Map #522, Lot #5. Selling of the subject parcel given it's shape and size, (3,735 square feet), will square off the existing City property and will have no direct impact on the remainder of the larger parcel as identified above.

Sincerely,

Ronald E. Ludwig
Ronald E. Ludwig
Director



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission
Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

December 16, 2004

Committee on Lands and Buildings
Board of Mayor and Aldermen
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PROPERTY AT 1823 CANDIA ROAD

Dear Committee Members,

We have reviewed the request of Attorney Peter Tampsosi to convey 0.23 acres to his client, Richard Exline, and to terminate a right of way over the Exline's land to the City's property. The property in question is shown in the Assessor's records as Map 522 Lot 5. It is approximately 10 acres of woodland between Candia Road and Route 101 and between Groveland Avenue and other land of the City. The City acquired this property May 1972 from Burton A. Cook (HCRD 2212-449).

The Highway Department has the following comments:

- Other than a sketch, the subdivision plan fails to show the boundaries of the remaining City land after the subdivision. As the subject of subdivision the boundaries of the City land must be shown.
- The deed granting the land to the City is subject to 2 rights of way and 4 land exceptions. It would be necessary to identify the location of those grants in relation to the City's boundaries to be assured they are not in the area of this request.
- There appears to be only two access points into the City's land. The 20' access from Candia Road, subject of this proposal, would be eliminated. The second access is a 20' unimproved strip of land next to 109 Groveland Avenue. The validity of the Groveland Ave access point should be assessed, as it is not referenced in the City's deed.

The proposal does not address the encroachment of the shed onto land of Map 522 Lot 2. Is it possible the shed will have to be moved even if the City conveys the land to Mr. Exline?

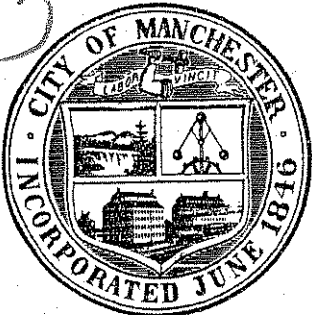
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If further information of this site id needed I can be contacted at the Highway Department, 624-6444 extension 301

Sincerely,



Frank Thomas, P.E.
Public Works Director



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission
Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

August 25, 2005

Committee on Lands and Buildings
Board of Mayor and Aldermen
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PROPERTY AT 1823 CANDIA ROAD

Dear Committee Members,

We have reviewed the second request of Attorney Peter Tamposi to convey 3735 square feet (0.857 acres) of City property to his client, Richard Exline, and to terminate a 20' wide right of way over Mr. Exline's land. The City property is shown as Map 522 Lot 5 on the Assessor's records and Mr. Exline has a shed built on the 20' right of way. The Highway Department reviewed and commented on this request December 16, 2004.

After review of the new plan the Highway Department is satisfied with the plan submission. It shows the property lines after the proposed lot line adjustment. The plan also addresses the exceptions from the City's current deed.

The City currently owns several parcels of land along Groveland Avenue that abut this parcel. Parcel 492-20 and 492-16 probably provides reasonable access to the parcel. It appears the owner of 155 Groveland Avenue has a shed on parcel 492-20 and the owner of 215 Groveland has a shed and driveway on parcel 492-16.

While recognizing this parcel is under the control of the Parks and Recreation Department, the Highway Department has no objection to the sale of this parcel of City property.

If further information of this site is needed I can be contacted at the Highway Department, 624-6444 extension 301

Sincerely,

Frank Thomas, P.E.
Public Works Director

Excerpt from 8/29/2005 L&B Meeting:

Communication from Atty. Peter Tamposi, on behalf of Richard Exline, requesting the conveyance of Parcel "A" and termination of an access easement.

Clerk Thibault noted that a communication from Frank Thomas regarding this item was distributed to Committee members on Friday and this evening a communication from Ron Ludwig of Parks & Recreation was distributed.

Alderman Porter stated this item came up in April and Parks & Recreation had some concerns with this as do I. There are other abutters along Groveland Street and I would like to move that we receive and file this communication.

Alderman Roy duly seconded the motion to receive and file.

Alderman Gatsas stated I guess I will let them plead their case. We let everyone else.

Peter Tamposi, Attorney, stated I represent Mr. Exline. I understand that the Aldermen have some concern about the abutter but I have to say that the abutter has not made his request known to us of his interest in purchasing this property. Mr. Exline began this process back in December of last year when the Parks & Recreation Department asked him to survey the property as well as the City property that we were seeking conveyance of. The Department of Highway subsequently asked us to undertake some engineering as well, both on Mr. Exline's property as well as the right-of-way by Candia Road. In the process Mr. Exline has spent over \$20,000 in engineering fees to provide the information requested by the City and as the Board will note on August 25 the Department of Highway issued a report favorable to the transfer of the property. Now this abutter has not made a formal request to this Board as I am aware of. He is, I believe, not here tonight. I don't think he spent the time and money that Mr. Exline has spent in engineering this property seeking this conveyance. I note that surveying the property was very difficult because of the right-of-way of Candia Road and Mr. Exline has literally gone through three engineers in the process. I think he is willing to share that information with the Department of Highway when the Candia Road widening occurs or continues. He has really undertaken a good faith effort to do everything he can to try to go through all of the levels to try to get this transfer approved. I will also note that there are two things we seek. We seek a termination of the right-of-way, as well as the lot line adjustment. I don't think anybody is opposed to the termination of the right-of-way. The right-of-way serves no purpose as the City has plenty of access as noted by the Department of Highway. The City has plenty of access to the property behind Mr. Exline's

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property so the termination of the right-of-way I think...the right-of-way itself has no effect other than to hinder Mr. Exline's ability to develop this property. It is also noted that with further widening of Candia Road it is probably likely that the City is going to have to take some additional land owned by Mr. Exline. He is willing to be agreeable in that process but he would see the termination of the right-of-way, as well as the lot line adjustment. We are only talking about .23 acre so less than 1/4 of an acre.

Chairman Thibault asked Alderman Porter in the process normally when you are going to get rid of land like that and there are abutters what is your normal procedure. Do they have to notify everybody that owns property?

Alderman Porter answered the Assessors don't make that determination. That would be made by either this Committee or the Board. The Assessors don't have anything to do with the actual marketing of property.

Chairman Thibault asked how about notification to the property owners in that area. Don't they all have to be notified?

Alderman Porter answered that is a legal question. I would think out of courtesy they should be and I don't think that the abutter would have any obligation to contact Mr. Exline's attorney if they are interested. I don't think that is at issue at all. As I recall this was not deemed surplus and Parks & Recreation voiced their opinion against selling this to anybody.

Alderman Osborne asked Mr. Arnold I am reading here from the City Clerk's Office that this was "not found surplus to City needs." What are they saying here?

Deputy Solicitor Arnold stated I believe that was the prior determination.

Alderman Osborne stated this is dated August 10, 2005.

Chairman Thibault asked who wrote that letter.

Alderman Osborne answered it came from the City Clerk's Office.

Atty. Tamposi stated if I may address that the City Clerk's Office did write that letter back in August but I believe they were referring to the minutes of the Committee back in January 2005. I agree that they did not directly find this property surplus to City needs but I will quote from the minutes Ron Ludwig of the Parks & Recreation Department said "we looked at this particular piece and given the configuration of the small parcel, there is like a little flag or tail on the end that kind of weighed into our decision to say that we could probably

recommend it as surplus." He went on to say, "however we perhaps might look at other alternatives such as a minor lot line adjustment." There was no recommendation that I saw in the minutes that it was definitely not surplus property. It seemed like an exercise in equivocation to me. To address Alderman Porter's concerns, if this abutter is interested in purchasing the property we would be happy to have them be part of the process. If they want to make a bid, we will make a bid. We don't want to freeze anybody out.

Alderman Gatsas stated Mr. Tamposi if memory serves me right when I remember looking at this picture some six months ago and it has been sitting on the table for awhile, there was a building encroachment on both sides.

Atty. Tamposi responded that is correct Sir. There is a building encroachment on the City's property as well as on the neighbor's property. We have been in communication with the neighbor and we are not concerned about that. We are concentrating on reaching an agreement for a minor lot line adjustment there as well.

Alderman Gatsas asked the encroachment on the City side, how long has that been there.

Atty. Tamposi answered that has been there since the prior owner pulled a building permit in 1975 and put the shed there with the City's approval apparently.

Alderman Roy stated with all due respect to Atty. Tamposi and the homeowner my concerns have remained the same. This hasn't been deemed surplus and even though it is a small property the only access from the Candia Road side is the piece of property we are discussing. If anything was to ever go there that would tie it to the abutting Youngsville Park the only access would be through Groveland and through the residential neighborhood. While I know that is not something that the homeowner or the attorney would like to hear, I still don't believe that this access should be deemed surplus.

Alderman Osborne asked is there anybody here from the Assessor's Office.

Chairman Thibault answered Mr. Hamilton is here.

Alderman Osborne asked what did Mr. Tellier, when I asked him back then so what would correcting both of these involved he answered actually you are only correcting the City's portion of the encroachment. What did he mean by that?

Stephan Hamilton, Assessor, replied I wasn't privy to that discussion and I am not sure what he was talking about. Mr. Tellier was here at that point in time.

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Alderman Osborne responded I understand that but I thought you might know what he was talking about. He said, "the other portion of the encroachment is on private property. That is a problem for his neighbor and I don't believe it would affect the City at all."

Mr. Hamilton replied again I have no knowledge of what he meant by those statements.

Atty. Tamposi stated we can answer that question. We can show a map that would demonstrate exactly where the encroachment is. This is Joe Whichert a land surveyor hired by Mr. Exline.

Joe Whichert stated the reason I am here is we prepared the survey plan for Mr. Exline. What ends up happening just to address Alderman Roy's concern is the City owns currently four properties – Tax Map 492, Lots 12, 16, 18A and 20. As the Alderman pointed out those have direct access on to Groveland and don't go through Candia Road. The only thing I think that is probably worth pointing out is although the City has an access easement across Candia Road the owner would still have the fee interest. It is only 20' and it currently goes across his driveway so the capability of expanding that would probably be limited.

Alderman Porter stated I think the one important issue here is that it is Parks & Recreation land and they have expressed that we should not sell it.

Chairman Thibault responded I think that is going to have to be satisfied before we make any decision.

Atty. Tamposi replied if I may address that it is Parks & Recreation land and I understand that the Committee listens to their recommendations but the Committee also has a choice over that. All we are seeking to do is square up what is effectively a large sort of semi-rectangular piece with this tiny little portion that is in Mr. Exline's backyard. I submit that it has no use for the Parks & Recreation Department at all. I understand that Parks & Recreation is interested in holding on to all of their property in the long run but this parcel does nothing but hinge on Mr. Exline's ability to expand his property. He bought this with his fiancée hoping to put his family there and put an addition on it. In fact he hired an engineer to do the addition and it was the engineer who learned there was a problem with the lot line. So it is really I think a small parcel that doesn't effect the City's property at all but it means a lot to Mr. Exline who, as I said, has spent a lot of time and money trying to remedy the situation.

Chairman Thibault called for a vote on the motion to receive and file. The motion carried with Alderman Gatsas being duly recorded in opposition.

- 1) LAMBERT TOWNSHIP, MANCHESTER, NH; DATED 12-06-1981
AS RECORDED AS K.C.L.D. PLAN 156A
- 2) PROPOSED SUBDIVISION PLAN OF LAND IN MANCHESTER,
PROPERTY OF JOHN F. AMMUEL, JR. MORRIS
DATED APRIL 12, 1983 AND PREPARED BY
WALTER F. O'NEIL K.C.L.D. PLAN 1476
- 3) HIGHWAY MAPS FOR ROUTE 101 ON FILE @ N.D.O.T -
PROJECT # 016-2119 PL. 1965 VOL. 40 SHEETS 21-29
- 4) IN REBID PLANS FOR CONSTRUCTION PLANS FEDERAL AND
PROJECT MOBILITY CONTRACT, PROJECT NO. 0238, CANADIAN
ROADWAY PROJECT, MANCHESTER, NH
PROJECT NO. 0238-1 MANCHESTER HIGHWAY
CONSTRUCTION STATE PROJECT 12326

- [illegible]

[illegible]

④ DRILL HOLE FOUND
 ○ ROIN ROD FOUND
 ○ ROIN PIPE FOUND
 □ BOUND FOUND
 ● ROIN ROD OR IN TO BE SET
 Ⓢ SINKER MARKER
 Ⓢ UTILITY POLE
 Ⓢ CATCH BAG
 Ⓢ WATER SHUT OFF
 Ⓢ WATER GATE VALVE
 Ⓢ STOCKPILE FENCE
 Ⓢ CHAIN LINK FENCE
 Ⓢ STONE WALL

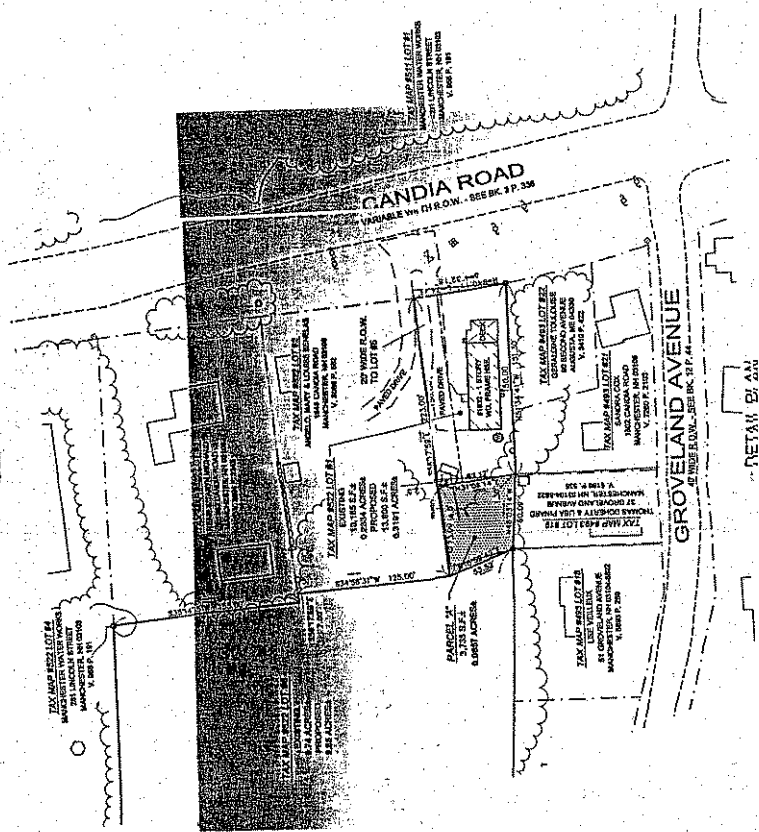
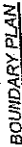
FOR LOT 522-1 & PARCEL A ONLY - SEE NOTE #3



1.) THE SUBJECT PARCELS ARE: LOT #1 ON THE CITY OF MANCHESTER TAX MAP #522. THE OWNER OF RECORD IS RICHARD E. ELMORE OF 1932 CANADA ROAD, MANCHESTER, NH. V. 2231 P. 117E AND LOT #6 ON THE CITY OF MANCHESTER TAX MAP #522. THE OWNER OF RECORD IS CITY OF MANCHESTER PARKS & REC. 625 WAINWORTH ROAD, MANCHESTER, NH. V. 22312 P. 44B.

2. THE BUILDING PARCEL IS ZONED R-1A, MINIMUM LOT SIZE IS 12,000 SQ. FT. MINIMUM LOT FRONTAGE IS 100'. SETBACKS AND AREAS FOLLOWING FRONT, 35'. SIDE, 20' AND REAR, 20'.
3. THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY THE SURVEYOR IN JANUARY, 2014. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE WORK WAS PREPARED BY A MAN ON THOSE UNDER MY DIRECT SUPERVISION. THIS OFFICE HAS ONLY MADE SOME BOUNDARY LINE DETERMINATIONS FOR LOT 821 AND 822 AND 823 AND 824.
4. THE INTENT OF THIS PLAN IS TO SHOW THE PROPOSED LOT LINE ADJUSTMENT BETWEEN LOT #1 AND LOT #11. APPROVAL OF THIS PLAN WILL NOT RESULT IN AN INCREASE IN THE NUMBER OF BUILDING LOTS.
5. THIS PLAN IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT. THE WALL INTERSECTION IS COMBINED WITH AN EXISTING LOT OF LOT #22-1. A TOP SURVEY VIEW FOR SPECIFIC DIMENSIONS AND AREAS.
6. TOPOGRAPHY SHOWN TAKEN FROM CITY G.I.S. DATA AND NOT BASED ON A FIELD TOPOGRAPHIC SURVEY BY THE SURVEYOR. ELEVATION DATA IS BASED ON THE CITY OF CHICAGO'S SYSTEM AND BASED ON SPATIAL CORRECTIONS BY THE OFFICE.

LOT LINE ADJUSTMENT PLAN FOR
**RICHARD E. EXLINE &
THE CITY OF MANCHESTER**
TAX MAP 522 LOTS 1 & 5
1832 CANDIA ROAD
MANCHESTER, NEW HAMPSHIRE

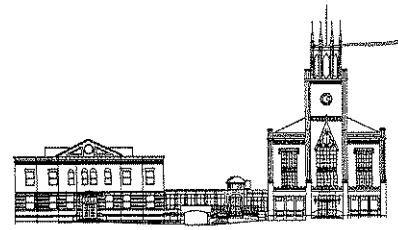


NET 20 AM



CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
Email: assessors@manchesternh.gov
Web: www.ManchesterNH.gov



Thomas C. Nichols
Stephen W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Lands and Buildings
From: Board of Assessors
Date: November 30, 2005
Re: Map 522 Lot 5
Request to Purchase Property

The Assessors have completed an analysis of the estimated market value of the above-referenced property. The following is a summary of important facts and the value estimate:

Property Location	Candia Road (see attached aerial photograph)
Assessors Map/Lot	Map 522 Lot 5
Property Owner	City of Manchester Parks and Recreation
Deed Book/Page	2631/557
Date Acquired	May 19, 1972
Improved/Vacant	Vacant
Total Land Area	10.50 acres
Current Zoning	R-1A
Overlay District	N/A
Easements/Restrictions	See letter from Mr. Exline & Survey
Utilities Available	Water and Electric
Total Current Assessment	\$1,234,900 for the entire parcel. Note: the abutter is seeking to purchase only 3,735 square feet.
Indicated Range of Value/Unit	\$2.00 per square foot
Indicated Range of Value	\$7,500 (rounded)
Comments	The value stated represents the value, as is, for the 3,735 square feet, plus the extinguishment of the right-of-way on Map 522 Lot 1. The additional land will be merged with Map 522 Lot 1. The proposed lot line adjustment does not increase the number of building lots allowed on the site.

Respectfully submitted,

David M. Cornell, CNHA

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Map 522 Lot 5
Candia Road

Aerial View & North/West Picture





City of Manchester
Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

Memorandum

DATE: December 1, 2005
TO: Land & Building Committee
FROM: Joan A. Porter, Tax Collector
RE: **Map 522 Lot 5**

Joan A. Porter

This report is in reference to a request from the Land and Building Committee regarding the status of Map 522 Lot 5 (adjacent to 1832 Candia Rd). This parcel is not a tax-deeded parcel and therefore the Tax Collector's office has no interest in the disposal of said property.

TOTAL FLAT EXPENSES

RECORD OF OWNERSHIP				STAMPS	DATE	BOOK	PAGE
522 LAND CANDIA ROAD 1,020							
5 SPRING VALLEY 03104							
1,020				0	8-17-78	2631	557
Corrective Deed				0	5-19-72	2212	1119
City of Manchester							
ASSESSMENT RECORD				ACCT. NO.			
1970				19	19	19	19
DWELLING							
GARAGE							
TOTAL VALUE BUILDINGS							
TOTAL VALUE LAND							
TOTAL VALUE LAND & BUILDINGS							
MEMORANDA				BUILDING PERMIT RECORD			
EST. COST				PERMIT NO.			
DATE				DATE			
TOTAL AREA				SQ. FT. PRICE			
SQ. FOOTAGE				UNIT PRICE			
TOTAL VALUE LAND				TOTAL VALUE BUILDINGS			
TOTAL VALUE LAND & BUILDINGS				TOTAL VALUE LAND & BUILDINGS			
PROPERTY FACTORS				PROPERTY INFORMATION			
TOPOGRAPHY				TREND OF DISTRICT			
LEVEL				IMPROVING			
HIGH				STATIC			
LOW				DECLINING			
ROLLING				PROPERTY INFORMATION			
SWAMPY				LAND COST			
STREET				BIDG. COST			
PAVED				SALE PRICE			
SEMI-IMPROVED				GROSS ANNUAL INCOME			
DIRT				LESS EXPENSES			
SIDEWALK				NET INCOME			
PROPERTY INFORMATION				LAND @ % =			
LAND COST				BLDG. @ % =			
BIDG. COST				TOTAL			
SALE PRICE				TOTAL FLAT EXPENSES			
GROSS ANNUAL INCOME				TOTAL			
LESS EXPENSES				TOTAL			
NET INCOME				TOTAL			
LAND @ % =				TOTAL			
BLDG. @ % =				TOTAL			
TOTAL				TOTAL			
TOTAL FLAT EXPENSES				TOTAL			

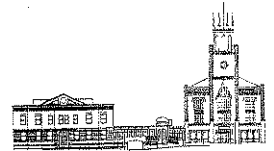
BUILDING RECORD

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CITY OF MANCHESTER

Planning and Community Development



Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management

Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

November 23, 2005

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Request by owner of TM 522, Lot 1, to acquire a 0.23 acre portion of TM 522, Lot 5, a city-owned parcel abutting Youngsville Park*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and is meant to supercede our previously submitted report of February 24, 2005.

Background: The City has received a letter from Richard Exline, the owner of a single family residence at 1832 Candia Road (TM522, Lot 1), inquiring about the possibility of (a) acquiring an 0.23 acre [app.] portion of an abutting 9.3 acre city-owned parcel known as TM 522, Lot 5, and (b) extinguishing a 20 wide public access easement which runs over his land into Lot 5 from Candia Road.

City-owned Lot 5 is a landlocked parcel which abuts the west side of Youngsville Park and it is currently served by two access easements which allow the public entry into this property from town roads. In addition to the easement over Mr. Exline's land, the other ROW enters Lot 5 from nearby Groveland Avenue (see attached Maps 1 & 2). The City also owns several Groveland Avenue parcels which directly abut Lot 5.

According to survey plans submitted by Mr. Exline, a shed he owns which is located off the rear of his property appears to be well situated on city-owned Lot 5 as well as on the privately-owned abutting Lot 2. Mr. Exline is apparently seeking to partially resolve his shed location problem by acquiring a portion of the city-owned property in question, identified as *Parcel "A"* on attached map 1, which surrounds his shed.

Surplus Determination and Disposition: It is the Planning and the Parks Department's long-held position to strongly discourage sales of existing parklands to abutting property owners. As Committee members are aware, most of the City's current stock of parklands are already under heavy use and there is routine public demand for the acquisition of more such space for recreational purposes. However, in this case, the land requested by Mr. Exline has recently been declared to be surplus to Parks Department needs and we, therefore, see no reason it cannot be declared surplus to City needs and possibly sold to Mr. Exline. If that is the Committee's desire, we would recommend the following: (a) that the portion of city-owned Lot 5 desired by Mr. Exline (identified as *Parcel "A"* on Map 1) be declared surplus by the Board of Mayor and Aldermen; (b) that *Parcel "A"* be subdivided from city-owned Lot 5 and sold to Mr. Exline at a price suggested by the Assessor's Office; (c) that the line of subdivision be represented by a direct continuation of the rear lot line for parcel TM 522, Lot 2, to a parcel known as TM 493, Lot 19; (d) that Mr. Exline be required to consolidate *Parcel "A"* into his existing Lot 1; (e) that the existing 20' foot public access easement across TM522, Lot 1, be extinguished; and (f) that Mr. Exline be required to pay all surveying and other costs associated with this subdivision, including Registry of Deeds filing fees.

Sincerely,

Robert S. MacKenzie,
Director of Planning

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Environs of City-owned TM 522, Lot 5 off Candia Road



Environs of City-owned TM 522, Lot 5 off Candia Road

Map 2

City-owned
TM 492, Lot 12
7,511 s.f.

City-owned
TM 496, Lot 16
4,935 s.f.

City-owned
TM 492, Lot 20
7,284 s.f.

Public
Access
ROW

City-owned
TM 522
Lot 5

Youngsville Park

TM 522
Lot 1

GROVELAND AVE

CANDIA RD.

